## Exhibit 3

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1
                   UNITED STATES DISTRICT COURT
                                                                                                     TNDEX
 2
                                                                         2
                  EASTERN DISTRICT OF TEXAS
                                                                               WITNESS
                                                                                                DIRECT CROSS REDIRECT RECROSS
                                                                         4
                                                                               ILYA GELLER
 3
                     MARSHALL DIVISION
                                                                                 BY MR. CANNON
                                                                         5
 4
                                                                          6
                                                                                 BY MR. FENSTER
                                                                                                         128
                                 : NO.2:07-CV-480-DF
                                                                         7
      PA ADVISORS, LLC,
 5
                                                                                                     EXHIBITS
                                                                         8
                                                                                            DESCRIPTION
                                                                         9
                                                                                NUMBER
                                                                                                                          PAGE
                   Plaintiff,
 6
                                                                         10
                                                                                Exhibit 16, Patent Purchase agreement,
                                                                                                                           101
                                                                                          Bates Nos. PA 0001210-22
 7
                                                                                Exhibit 17, Panel Summary No. 1
                                                                         11
                                                                                                                            119
                                                                                 Exhibit 18, Letter, Bates Nos. Geller
                                                                                                                            137
      GOOGLE INC., et al.,
 8
                                                                                           031979-91
                                                                         12
                                                                                 Exhibit 19, Letter, Bates No. Geller
                   Defendants.
                                                                         13
                                                                                           033081
                                                                                 Exhibit 20, Letter, Bates Nos. Geller
                                                                                            033083
10
                                                                         14
                         DATE: August 19, 2009
                                                                                 exhibit 21, Letter, Bates Nos. Geller
11
                                                                                                                            140
                          TIME: 9:47 a.m.
                                                                         15
                                                                                            034109-10
12
                                                                                 Exhibit 22, Document entitled, "The New
13
                                                                                           Search Technology, " Bates Nos.
                   Deposition of ILYA GELLER, taken by and
                                                                         16
14
                                                                                            Geller 054521-28
15
      before JOYCE SILVER, a Certified Shorthand Reporter
                                                                         17
                                                                                 Exhibit 23, E-mail dated 8/27/01, Bates
      and Notary Public of the State of New York, and,
16
                                                                                           No. Brin 0000001
17
      PHILIP GLAUBERSON, Videographer, held at the office
                                                                         18
                                                                                Exhibit 24, Letter dated 6/14/05
                                                                                                                            147
18
      of STROOCK, STROOCK & LAVAN, 767 Third Avenue, New
                                                                         19
                                                                                 Exhibit 25, Documents Bates Nos. PA
                                                                                                                            152
19
      York, New York.
                                                                                            0001419-1530
20
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21
                                                                         21
22
                                                                         22
23
                                                                         23
24
                                                                         24
25
         Job No.: 212395
                                                               2
 2
      APPEARANCES:
                                                                         2
      Attornevs for Plaintiff
 3
                                                                                               STIPULATIONS
 4
      RUSS AUGUST & KABAT
            12424 Wilshire Boulevard
                                                                         3
            Los Angeles, California 90025
 5
                                                                                            IT IS HEREBY STIPULATED AND AGREED
                                                                         4
      BY: MARC A. FENSTER, ESQ.
                                                                         5
                                                                               by and between the attorneys for the respective
 6
      Attorneys for Defendant, Google Inc.
                                                                         6
                                                                                parties hereto that filing and sealing be one and the
      OUINN, EMANUEL, UROUHART, OLIVER & HEDGES, LLP
 8
                                                                         7
                                                                                same are hereby waived.
            555 Twin Dolphin Drive
                                                                         8
            Suite 560
                                                                                            IT IS FURTHER STIPULATED AND AGREED that
            Redwood Shores, California 94065
                                                                         9
10
      BY: BRIAN C. CANNON, ESQ.
                                                                         10
                                                                                all objections except as to the form of the question.
                 And
                                                                         11
                                                                                shall be reserved to the time of the trial.
            EUGENE NOVIKOV, ESQ.
11
                                                                         12
12
      Attorneys for Defendant Yahoo
                                                                         13
                                                                                            IT IS FURTHER STIPULATED AND AGREED that
13
                                                                                the within examination may be signed and sworn to
                                                                         14
      HOWREY LLP
                                                                                before any officer authorized to administer an oath
                                                                         15
14
            321 North Clark Street
            Chicago, Illinois 60654
                                                                         16
                                                                                or notary public, with the same force and effect as
      BY: JASON C. WHITE, ESO.
15
                                                                         17
                                                                                though signed and sworn to before the officer before
16
                                                                                whom the within deposition was taken.
                                                                         18
      ALSO PRESENT: Erich Spangenberg
17
                                                                         19
18
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21
22
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25
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25

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ILYA GELLER
                                                                                         ILYA GELLER
 1
                                                                          1
            O. After August '98.
                                                                          2
                                                                                     A. The patent is only one patent.
                I came to the idea, but it's -- you see
                                                                          3
                                                                                     Q. Let's -- let's assume that the patent
 3
      the patent, yes? Yes, I came. Yes, I had after,
                                                                                includes one invention. Did there come a time when
      right.
                                                                                you conceived in a concrete fashion what that
                                                                          5
 5
                  And do you recall when it was you had
                                                                                invention was?
      that?
                                                                                            MR. FENSTER: Object to form. Asked and
 7
 8
                   MR. FENSTER: Object to form.
                                                                          8
                                                                                answered.
                   No. No, it's impossible to say exactly
 q
                                                                          9
                                                                                           (Speaks Russian.)
      because it doesn't work this way. It takes a long --
10
                                                                                            You need an exact hour, minute? Or what
                                                                         10
      a long time. You begin to think and some parts of
11
                                                                         11
                                                                                do you need?
      your idea are foolish, some parts of your idea are
                                                                         12
                                                                                     Q.
                                                                                            Just the best memory that you have of
      valid and finally you -- it's like a block of stone.
13
                                                                         13
                                                                                when the process that you had described was complete.
14
      You see if you want to make a sculpture, you take
                                                                         14
                                                                                And you had in your mind a definite and firm idea of
      everything extra from the stone and finally you got
15
                                                                                what this invention would be.
                                                                         15
      the sculpture. It's the same with for -- so it took
                                                                                            MR. FENSTER: Object to form.
16
                                                                         16
17
      a long -- took a long time before I came to the idea.
                                                                         17
                                                                                     A. I'm sorry, but it's misunderstanding. I
      So it wasn't just once like lightening. It was a
18
                                                                                just don't understand what you're asking. I don't --
                                                                         18
                                                                                it's created?
20
            Ω
                  Are you -- I'm sorry, I didn't mean to
                                                                         20
                                                                                            THE INTERPRETER: (Speaks Russian.)
21
      cut you off. Did you finish?
                                                                         21
                                                                                         I don't know in which context you are
          A. It's a process.
22
                                                                         22
                                                                                speaking at because it depends on your context. It
                  Are you familiar with the phrase "the
                                                                                depends -- listen, I am a philosopher. I am -- I do
23
            Ο.
                                                                         23
24
      conception of an invention"?
                                                                         24
                                                                                science. And I understand your question in many
25
                 MR. FENSTER: Object to form.
                                                                         25
                                                                                different aspects, but I need to know more about your
```

26

28

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ILYA GELLER
                                                                                          ILYA GELLER
                                                                                 context, about the context in which you are asking.
      Foundation.
                                                                                              Well, if I understand you correctly, you
                  (Speaks Russian.)
                                                                           3
 4
                   I told you I got this conception -- I
                                                                                 saw --
 5
       told you it's a process. It's a process. Right?
                                                                           5
                                                                                             Concept of the patent is no value.
      Right?
                                                                                             I'm sorry?
 6
                                                                           6
                   It's really actually -- I just want to
                                                                                              It's too vague. It's too vague. It's
                                                                           7
                                                                                       Α.
 8
      lay the foundation to see whether you're familiar
                                                                           8
                                                                                 too big. I need you to point, to take, to be
 9
       with the term "the conception of an invention." Is
                                                                           9
                                                                                 laconic.
       that a term that has meaning to you?
                                                                                       Ο.
                                                                                              I'm trying to establish, and if -- if
10
                                                                          10
                   MR. FENSTER: Meaning in its legal sense?
                                                                                 you -- if you don't remember, that -- that's -- that
11
                                                                          11
                   MR. CANNON: Well, let's just let the
                                                                                 is what it is -- if -- if there came a point where
12
                                                                                 you had a definite and firm idea of the invention
      witness answer the question.
13
                                                                          13
14
                   MR. FENSTER: Object to form.
                                                                                 that would later become issued as this patent?
                (Speaks Russian.)
                                                                                              MR. FENSTER: Objection, vague, form.
15
            Α.
                                                                          15
16
                   It's too vaque. I don't -- I can't
                                                                          16
                                                                                 asked and answered.
       understand what you're talking about. I don't see
                                                                                              MR. CANNON: Marc, if you could limit
17
                                                                          17
       the context. You need to give me the context of your
                                                                                 your objections to objection, form, I would
18
                                                                          18
19
       idea -- of your words.
                                                                          19
                                                                                 appreciate that because that's what the Texas rules
                  Well, the context is the -- the -- your
20
                                                                          20
                                                                                 require.
21
       patent, the 067 patent --
                                                                          21
                                                                                             MR. FENSTER: I know what the Texas rules
                                                                                 require, Mr. Cannon, and you need to -- this is a
                                                                          22
22
            Α.
                  -- claims various inventions.
                                                                                 special deposition and you need to ask simple
                                                                          23
            A.
                   Various inventions. It's one invention.
24
                                                                          24
                                                                                 questions. And I'm going to protect the record as I
                   It's one invention?
                                                                                 see fit.
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29 31

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ILYA GELLER
                                                                                          ILYA GELLER
 1
                                                                           1
 2
                   MR. CANNON: Well, I'm doing the best
                                                                                             MR. FENSTER: Object to form.
 3
      I -- the best I can, but I really think the record,
                                                                          3
                                                                                           I believe yes.
       you should limit yourself to what the rules require.
                                                                                      Q.
                                                                                             How does your invention relate to user
                   MR. FENSTER: Could you read back the
                                                                                profiles?
                                                                          5
 5
                                                                                             MR. FENSTER: Object to form.
      question, please?
                                                                           6
                   (The reporter read back the last
                                                                                             It's written in here, just read the
                                                                          7
 8
      question.)
                                                                           8
                                                                                 patent. Everything is written here -- in here. But
                  Okay. You have this patent. It is
           A.
                                                                                 why should I say by myself if you can read the
 q
                                                                          9
      before you. So finally of course I had this idea.
                                                                          10
      You have something here. Right? Before you. So
11
                                                                                             Well, I -- I'd like you to answer, if you
                                                                          11
12
      finally I came to the idea, but I don't remember
                                                                          12
                                                                                 can, if you can tell me how your invention relates to
13
      when. I cannot say you exactly day, months or a
                                                                          13
                                                                                 user profiles?
      year. It was somewhere in '99 or '98. I don't
14
                                                                          14
                                                                                             MR. FENSTER: Form.
15
      remember exactly.
                                                                          15
                                                                                      A. I told you about opinions and knowledge.
                                                                                 Right? And I told you what this patent is -- is
16
                   Are there any documents that you can
                                                                          16
17
       think of that would help you pin down the date more
                                                                          17
                                                                                 about searching for both opinions and knowledge. I
      exactlv?
                                                                                 didn't tell that, but now I am telling. This patent
18
                                                                          18
19
                   MR. FENSTER: Object to form.
                                                                          19
                                                                                 combines both approaches. It searches for knowledge
                  It's a pro- -- it's a process. Of course
                                                                                 and for opinions. So I -- and to search for
20
                                                                          20
21
      it starts somewhere, but document, I don't remember.
                                                                          21
                                                                                 opinions, a program, a computer needs to know who is
                                                                                 searching for information. Who is -- who is
22
      I -- I have -- I have no idea what kind of document
                                                                          22
      it could be. I have no idea. I don't know. What do
                                                                          23
                                                                                 searching for information. So it must be
23
      you mean?
24
                                                                          24
                                                                                 personalized. You see here generated personal --
25
          Q. The -- the title of the patent uses the
                                                                          25
                                                                                 personalized user profiles. So you gave just a part
```

30 32

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ILYA GELLER
                                                                                          ILYA GELLER
      phrase "user profiles." Do you see that?
                                                                                of a sentence, but the whole definition is
                                                                                personalized user profiles.
                                                                          3
 4
                  If you look at the patent Exhibit 6, the
                                                                          4
                                                                                      Ο.
                                                                                            Do you believe you are the first person
      title is in the top left, "System and Method For
                                                                          5
                                                                                to come up with the idea of using personalized user
      Generating Personalized User Profiles." and then it
                                                                                profiles to search the Internet?
 6
                                                                          6
      goes on?
                                                                          7
                                                                                             MR. FENSTER: Object to form.
 8
                  Yes, I see it, but it was -- this patent
                                                                          8
                                                                                      A. My experience at NIST TRC tells me, yes.
 9
      was written by my legal counsel and he -- it's his
                                                                          9
                                                                                National Institute of Standards and Technology Text
      work. Right? This patent, I didn't -- I didn't
                                                                          10
                                                                                Retrieval Conference.
10
      write anything to this patent. He wrote everything.
                                                                                             What was the last -- could you tell me
11
                                                                         11
                                                                                      Ο.
            Q. So you didn't write this patent?
                                                                                again the -- the name of the conference you just
12
                                                                          12
            A. Technically, he wrote the patent, my
13
                                                                          13
                                                                                referenced?
14
      legal counsel.
                                                                                             National Institute of Standards and
            O. Are there mistakes in the patent?
                                                                                Technology Text Retrieval Conference.
15
                                                                          15
                 MR. FENSTER: Object to form.
                                                                          16
                                                                                             And what is the significance of that
16
                Mistakes? Grammatical?
17
                                                                          17
                                                                                conference?
                   Any kind of mistakes. You -- I asked you
                                                                                             Huge companies and universities like MIT
18
                                                                         18
                                                                                      Α.
19
      about the phrase "user profile" and you answered
                                                                          19
                                                                                and companies like Microsoft, IBM, from the whole
      that -- that your attorney had written it. And I'm
                                                                                world -- world, I mean Academy of China and everybody
20
                                                                         20
21
      wondering why -- why did you answer in that fashion.
                                                                         21
                                                                                comes to this conference, and this the major event in
                   Because -- what fashion? Because here he
                                                                                the search world.
22
                                                                         22
       wrote it user profile.
                                                                                             And how does that conference relate to
                                                                                     Q.
           O. Does your invention have to do with user
                                                                         24
                                                                                your belief about personalized user profiles?
24
       profiles?
                                                                                             MR. FENSTER: Object to form.
```